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Amdt. Trans.
PATENT

Our File No.: 31967-PCT-USA-A

Date: March 13, 2000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Raymond Kaempfer et al.

Serial No. : 09/150,947

Examiner :

Filed : September 10, 1998

Group Art Unit: 1646

For : BROAD SPECTRUM PYROGENIC EXOTOXINS ANTAGONISTS
AND VACCINES

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

Transmitted herewith is an amendment in the above-identified application.

1. ☒ Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
2. ☐ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.
3. ☐ No additional fee is required.

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on March 13, 2000.

Attorney Name Rochelle K. Seide

Registration No. 32,300

Signature Rochelle K. Seide

Date of Signature March 13, 2000

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The fee has been calculated as shown below:

| | | Claims remaining after amendt. (Col. 1) | Highest No. Prev. Paid for (Col. 2) | | | Present extra (Col. 3) | <u>SMALL ENTITY</u> | | or | <u>OTHER THAN A SMALL ENTITY</u> | |
|--|---|---|--|----|---|------------------------------|---------------------|------------|----|--------------------------------------|------------|
| | | | | | | | <u>RATE</u> | <u>FEE</u> | | <u>RATE</u> | <u>FEE</u> |
| Total | * | 57 | Minus ** | 77 | = | 0 | x 9 = | \$0 | or | x 18 = | |
| Ind. | * | 1 | Minus *** | 4 | = | 0 | x 39 = | \$2,028 | or | x 78 = | |
| First Presentation of Multiple Dependent Claim | | | | | | | + 130 = | \$0 | or | + 260 = | |
| TOTAL ADDITIONAL FEE | | | | | | | = | \$2,028 | or | TOTAL = | |

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
 ** If the "Highest No. prev. paid for" in this space is less than 20, write "20" in this space.
 *** If the "Highest No. prev. paid for" in this space is less than 3, write "3" in this space.

4.(a) ☐ An Extension of Time to respond to the PTO communication dated is hereby requested. The required fee, indicated below, is enclosed herewith.

Extension for response (check only one):

| | <u>SMALL ENTITY</u> | | <u>OTHER THAN A SMALL ENTITY</u> | |
|---------------------|-------------------------------------|-------|--------------------------------------|--------|
| Within first month | <input type="checkbox"/> | \$ 55 | <input type="checkbox"/> | \$ 110 |
| Within second month | <input type="checkbox"/> | 190 | <input type="checkbox"/> | 380 |
| Within third month | <input checked="" type="checkbox"/> | 435 | <input type="checkbox"/> | 870 |
| Within fourth month | <input type="checkbox"/> | 680 | <input type="checkbox"/> | 1,360 |

(check and complete the next item, if applicable)

- ☒ An extension for 3 months has already been secured and the fee paid therefor of \$ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$435.

or

- (b) ☒ In the event that an extension of time is required, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

5. ☐ Please charge our Deposit Account No. 02-4377 in the amount of \$. Two copies of this sheet are enclosed.

6. ☒ A check in the amount of \$435 is attached.



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7. [X]

The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR 1.16 and/or 37 CFR 1.17 associated with this communication or credit any overpayment to Deposit Account No. 02-4377. Two copies of this sheet are enclosed.



BAKER BOTTS L.L.P.

By

A handwritten signature in cursive script, reading "Rochelle K. Seide", written over a horizontal line.

Rochelle K. Seide

PTO Registration No. 32,300

Enclosures